

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: J.N. Nuss et al. Attorney Docket No.: PP001677.006 (NIBR122036)
Application No.: 10/719896 Art Unit: 1624 / Confirmation No.: 1440
Filed: November 21, 2003 Examiner: V. Balasubramanian
Title: SMALL MOLECULE PI 3-KINASE INHIBITORS
AND METHODS OF THEIR USE

REQUEST FOR CLARIFICATION OF EXAMINER CITED REFERENCE

Seattle, Washington 98101

October 9, 2009

TO THE COMMISSIONER FOR PATENTS:

Applicants request clarification of the citation of a reference by the Examiner in the Office Action mailed December 20, 2005. On page 10 of the Office Action, three references were cited by the Examiner:

Li et al., Breast Cancer Res. Treat. 1-5, 2005;
Crowder et al., Breast Cancer Res., 7(5): 212-214, 2005; and
Nahta et al., Curr. Med. Chem. Anti-Canc. Agents, 3(3) 201-216, 2003.

The Office Action indicates that PubMed Abstracts were provided for these references. According to our records, PubMed Abstracts were provided for the Crowder et al. and Nahta et al. references, but not for the Li et al. reference.

Applicants have been unable to locate the Li et al. publication referenced in the Office Action. Applicants have located another Li et al. reference: Breast Cancer Res. Treat. (2006) 96: 91-95 (copy attached).

Applicants respectfully request that the Examiner review the application file and confirm the accuracy of the initially cited Li et al. reference or confirm that there is a typographical error

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in the citation of the reference in the Office Action mailed December 20, 2005, and that the proper citation is Li et al., Breast Cancer Res. Treat. (2006) 96: 91-95.

Should the Examiner have any questions regarding clarifying the identification of the Li et al. reference, the Examiner is encouraged to telephone applicants' attorney at 206.695.1755.

Respectfully submitted,

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